

Industry: **Big Ox Energy Siouxland, LLC**
Address: **1616 D Avenue**
South Sioux City, NE 68776
IU Permit No.: **2016-31-I**

NOTICE OF VIOLATION
City of Sioux City, Iowa
Industrial Pretreatment Program

LEGAL AUTHORITY

The following findings are issued and notice provided pursuant to the authority vested in the City of Sioux City, Iowa Industrial Pretreatment Program, under Title 13 of the Sioux City Municipal Code "Sewers". This order is based on findings of violation of the conditions of the wastewater discharge permit issued under 13.07.270 of the City's Sewers and Sewer Disposal Ordinance.

FINDINGS

1. The City of Sioux City, Iowa is charged with the construction, maintenance, and control of the sewer system and treatment works.
2. To protect the sewer system and treatment works, the City of Sioux City, Iowa administers a pretreatment program.
3. Under this pretreatment program, **Big Ox Energy Siouxland** was issued a discharge permit.
4. On June 29, 2018, the City of Sioux City issued a Compliance Order to **Big Ox Energy Siouxland** which required pollutant loadings (TSS) to be less than **48,509 lbs./day** as a maximum daily limitation.
5. For the following dates, **Big Ox Energy Siouxland** discharged an exceedance of the maximum daily limitation of **48,509 lbs. TSS** per the Compliance Order dated June 29, 2018. A fine of **\$1,000** for each day that BOE was in violation is hereby issued.
 - November 2, 2018- 62,001 lbs. TSS
 - November 3, 2018- 133,689 lbs. TSS
 - November 4, 2018- 65,797 lbs. TSS
6. The Sioux City WWTP experienced extreme loadings on 11/03/2018 (**1,128mg/L TSS**) resulting in poor primary clarifier performance and increased solids concentrations in the Activated Sludge process. Currently, the WWTP is struggling to make repairs to the primary clarifier units rendering only half of the tanks functional. The recent extreme loadings are causing extra stress on the process while the repairs are being made. We are also concerned about the ability of the WWTP to handle this loading during winter months as lower temperatures inhibit our process.
7. As outlined above, the total fine for the violation documented above amounts to **\$3,000**. This is in addition to any fines or charges previously issued. Fines will be assessed on the next sewer use surcharge invoice and are non-negotiable.

NOTICE AND REQUIRED ACTIONS

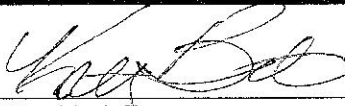
THEREFORE, BASED ON THE ABOVE FINDINGS, BIG OX ENERGY SIOUXLAND IS HEREBY NOTIFIED THAT:

It is an on-going violation of its discharge permit and the Title 13 of the Sioux City Municipal Code "Sewers" of Sioux City, Iowa and the following specific actions are required. Note that these items are contingent on the consent of the regulatory authorities for the Sioux City, Iowa POTW.

1. Within 10 Days of receiving this letter, **Big Ox Energy Siouxland** must respond in writing with the following information:
 - An explanation for the violation
 - A plan to mitigate this type of violation in the future
2. All requirements in previously-issued Orders are fully in-effect including fines and notification requirements.

Signatures


Craig Samek
Industrial Pretreatment Coordinator
City of Sioux City, Iowa

 for Mark Simms
Mark Simms
Utilities Director
City of Sioux City, Iowa

Received Dawn [Signature] 11.14.18

November 14, 2018

Date of Issuance of NOV

Copy:

IDNR

NDEQ

City of South Sioux City